

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

DAVID ANTHONY MELENDEZ,

Plaintiff,

V.

EXPERIAN INFORMATION
SOLUTIONS, INC.,

Defendant.

CASE NO. 2:24-cv-8083

**DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC.'S
NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, Defendant Experian Information Solutions, Inc. (hereinafter “Experian”) hereby files this Notice of Removal of the above-captioned action to this Court on the following grounds:

1. Experian is the sole Defendant in Index No. CV-010210-24/CE filed by Plaintiff David Anthony Melendez (“Plaintiff”) in the Suffolk County District Court – First District (the “State Court Action”).

2. The Summons with Notice in the State Court Action was filed with the Clerk of the Suffolk County District Court – First District on October 25, 2024.

3. This Notice is being filed with this Court within thirty (30) days after Experian received a copy of Plaintiff's initial pleading on October 31, 2024 setting forth the claims for relief upon which Plaintiff's action is based.

4. This Court is the proper district court for removal because the State Court Action is pending within this district.

5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Experian in the State Court Action is attached hereto as **Exhibit A**.

6. Experian is a corporation which, for monetary fees, regularly engages in whole or in part in the practice of assembling consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. Experian uses means or facilities of interstate commerce for the purpose of preparing or furnishing consumer reports, and therefore is a “consumer reporting agency” within the meaning of 15 U.S.C. § 1681a(f).

7. The claims for relief against Experian alleged in the State Court Action arise under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* Thus, this Court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p. The above-captioned action may properly be removed to this United States District Court pursuant to 28 U.S.C. § 1441(a).

8. Promptly after the filing of this Notice of Removal, Experian shall provide notice of the removal to Plaintiff in the State Court Action, and shall file a copy of this Notice with the clerk of the court in the State Court Action, as required by 28 U.S.C. § 1446(d). A true and accurate copy of this Notice is attached as **Exhibit B**.

Dated: November 20, 2024

Respectfully submitted,

/s/ Jonathan P. Floyd

Jonathan P. Floyd

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Attorney for Experian Information Solutions, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 20^h day of November 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, and sent, via U.S. Mail and/or electronic mail, the same to the following party. Service of the foregoing was within the time prescribed by the Rules of the Court.

David Anthony Melendez, *Pro Se*
P.O. Box 5301
Bay Shore, NY 11706

/s/ Jonathan P. Floyd
Jonathan P. Floyd